

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

LY TRI,

Plaintiff,

v.

C. GUTIERREZ, et al.,

Defendants.

Case No.: 1:22-cv-00836-KES-SKO (PC)

**ORDER REFERRING CASE TO POST-SCREENING ADR AND STAYING CASE FOR 120 DAYS**

**FORTY-FIVE (45) DAY DEADLINE**

Plaintiff Ly Tri is proceeding pro se in this civil rights action brought pursuant to 42 U.S.C. § 1983. The action proceeds on Plaintiff's First Amendment retaliation claim against Defendant Gutierrez.

The Court refers all civil rights cases filed by pro se inmates to Alternative Dispute Resolution ("ADR") to attempt to resolve such cases more expeditiously and less expensively.

The Court stays this action for 120 days to allow the parties to investigate Plaintiff's claim, meet and confer, and participate in an early settlement conference. The Court presumes that all post-screening civil rights cases assigned to the undersigned will proceed to a settlement conference. However, if, after investigating Plaintiff's claim and meeting and conferring, either party finds that a settlement conference would be a waste of resources, the party may opt out of the early settlement conference.

1 Accordingly, it is hereby **ORDERED**:

- 2 1. This action is **STAYED** for **120 days** to allow the parties an opportunity to settle their  
3 dispute before the discovery process begins. No pleadings or motions may be filed in  
4 this case during the stay. The parties shall not engage in formal discovery, but they  
5 may engage in informal discovery to prepare for the settlement conference.
- 6 2. **Within 45 days** from the date of this Order, the parties **SHALL** file the attached  
7 notice, indicating their agreement to proceed to an early settlement conference or their  
8 belief that settlement is not achievable at this time.
- 9 3. **Within 60 days** from the date of this Order, defense counsel **SHALL** contact the  
10 undersigned's Courtroom Deputy Clerk at wkusamura@caed.uscourts.gov to schedule  
11 the settlement conference, assuming the parties agree to participate in an early  
12 settlement conference.
- 13 4. If the parties reach a settlement during the stay of this action, they **SHALL** file a  
14 Notice of Settlement as required by Local Rule 160.
- 15 5. The Clerk of the Court **SHALL** serve a copy of this Order to ADR Coordinator Sujean  
16 Park.
- 17 6. The parties are obligated to keep the Court informed of their current addresses during  
18 the stay and the pendency of this action. Changes of address must be reported  
19 promptly in a Notice of Change of Address. *See* L.R. 182(f).

20 IT IS SO ORDERED.  
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22 Dated: July 7, 2025

/s/ Sheila K. Oberto  
23 UNITED STATES MAGISTRATE JUDGE

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NOTICE REGARDING EARLY  
SETTLEMENT CONFERENCE

- 20  
21     1. The party or counsel agrees that an early settlement conference would be productive and  
22     wishes to engage in an early settlement conference.

23                   Yes \_\_\_\_\_                  No \_\_\_\_\_

- 24  
25     2. Plaintiff (check one):

26                   \_\_\_\_\_ would like to participate in the settlement conference in person.

27                   \_\_\_\_\_ would like to participate in the settlement conference by telephone or video  
28                   conference.

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2 Dated:

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4 Plaintiff or Counsel for Defendant  
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